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In re application of
Mirkin et al.
Serial No. 09/830,620
Filed: November 30, 1999
For: NANOPARTICLES WITH POLMER SHELLS

DECISION ON
PETITION

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT filed October 1, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of September 1, 2004, for failure to timely file a proper reply to the Office letter mailed February 12, 2004 be withdrawn since the applicants did timely file a reply on August 12, 2004.

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's response was properly filed on August 12, 2004 as demonstrated by the returned post card receipt. Any holding of abandonment for failure to timely file a proper reply to the Office letter mailed February 12, 2004, therefore, is hereby vacated.

In view of the Notice of Rescinded Abandonment mailed by the USPTO on September 23, 2004, the application was returned to pending status. Accordingly, the petition is **DISMISSED**.

JStone

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